

# Hawaiian Gazette.

VOL. XXXVIII, No. 46.

HONOLULU, H. T., TUESDAY, JUNE 8, 1903—SEMI-WEEKLY.

WHOLE No. 2494.

## HOUSE PASSES UP THE UNPAID BILLS ON THIRD READING

There was some time lost before the House got busy yesterday, owing to the presence in court of Clerk Meheula. Kealawaa introduced a resolution asking for \$8,000 for traveling expenses of the band. The Military Committee will consider it.

Kupihua presented the petition of forty-six voters of the fifth district asking \$400 for J. K. Maunakea, under commission from J. H. Boyd, on the Kunawai spring, and \$600 to cover care of the spring for the coming biennial period. This went to the Public Expenditures Committee.

### KELIIAA ELECTED JANITOR.

Mr. Chillingworth moved that the son of the late janitor of the House, Keliiaa, be selected to succeed that employee. He said the hand of death had dealt heavily with the family of the deceased, a son and now the father having been called away in succession. Kanaho nominated Pulaa, Jr., saying that he had the utmost sympathy for the family of the deceased but he thought there should be consideration shown to the country members.

Wright said that he had seen the boys about the House and thought there should not be a pack of children employed. He said there were enough boys in the House as it is, and there is no need for more. He made a nomination but no one seconded it and the balloting proceeded with Keliiaa and Pulaa as candidates. The balloting resulted: Keliiaa, nineteen; Pulaa, seven; blank, one.

### ATTACK ON HACKFELD WHARF.

The unpaid bills measure was then taken up, Fernandez moving to strike out the Hackfeld wharf item. He said no request was made to the Legislature of two years ago for money for this wharf, yet the council gave out this work without contract, exceeding the authority vested in the executive. He said that the amount would have to be paid by the entire Territory, and he opposed the payment in the interest of the people.

Chillingworth said he was surprised that the member should take this course after once voting for the item. Fernandez exclaimed that he had never voted for the item, but Chillingworth insisted that he had done so and said he would maintain that position until the records were produced to persuade him differently. He said that the necessity for the wharf suddenly became apparent and the protection of the trade of the port made the construction necessary. He said it was a just debt. Keliinol, who had moved to pass the item, moved the previous question, and the roll call showed on the vote to strike out: nine ayes and eighteen noes. The vote was a strict party division, Pulaa being the only bolter from the Republicans.

Paele moved to strike out the interest item of \$6,285.25, making a long speech of attack on the executive for exceeding legal authority. The vote was ten ayes, sixteen noes, the item remaining.

### WRIGHT PAID FOR SERVICES.

Pulaa moved to insert a new item, W. J. Wright, for legal services, \$80. This was once before brought up and knocked out, but the House this time refused to send to a special committee as Fernandez wished and voted the item into the bill by sixteen to nine.

Kanaho moved a new item in the Attorney-General's department, to refund monies taken from salaries of police officers in Koolau, \$50. This, he said, was to meet the deduction of \$15 a month from the salaries of two policemen, the money being used to pay a jailor. Andrade raised the point of order that the men having consented and signed vouchers, this was not an unpaid bill. The Chair so ruled and the House sustained him by fourteen to twelve.

Wright moved to insert an item of \$250 for Dr. Aicherly of South Kohala, for increase of salary, but the Speaker ruled it out of order. There was an attempt by Kanaho to cut out the interest charge again, but the House took a recess.

### UNPAID BILLS PASSED.

Upon reassembling at once the vote was called on the unpaid bills measure on third reading. It took a long while to secure the necessary votes. The bill was passed with sixteen ayes to seven noes, as follows: Ayes—Aylett, Chillingworth, Gandal, Greenwell, Hala, Harris, Kalama, Keliinol, Knudsen, Kumala, Lewis, Long, Nakalele, Paele, Pulaa and Wright.

Noes—Fernandez, Kealawaa, Kupihua, Olli, Paele, Purdy and Mr. Speaker. The House then took up the six months salary bill, the payroll of the pilot boat men being referred to the special committee which has in charge the fire department salaries, the other items then passing.

### SCHOOL DEPARTMENT HIT.

The salary of the Superintendent of Public Instruction was struck by Kumala, who moved to have the \$2,250 cut down to \$1,800, the roll call showing fifteen to eight. Harris tried hard to have the salary of the secretary increased to \$1200, but the House would not do it. Kealawaa moved to increase the assistant secretary and school agent for Honolulu from \$900 to \$1050, saying this official was a woman and had

worked there a long time. He commented favorably on her work in a fire cracker speech but he got no support and the item stood as in the bill.

When the school pay roll, \$162,500, came up Kalama moved a special committee and got it, he being chairman with Gandal, Long, Lewis and Keliinol.

The salaries of school agents were put down at \$1500 in the bill, but Beckley moved to make it \$1620, saying that it would help out the Molokai agent who has a great deal of hard traveling to do, and the House agreed. The Industrial school items went through as to amounts. Kumala insisted on specifying that one item should read "four guards at \$50 a month each."

The Public Lands Commissioner and secretary went through and on motion of Harris the clerk and bookkeeper was advanced to \$900. All the remainder of the salaries passed as in the bill.

### FOR AGRICULTURE BOARD.

The new Board of Agriculture, Horticulture and Forestry started off well with the Forestry Superintendent at \$1,500, but the payroll in that division went to the Agriculture Committee for investigation. The superintendent of entomology went through, but there was some discussion over assistants at \$2,500. Harris said the planters would add \$9,300 to the item if it passed. Kanaho tried to have it cut out but failed.

The entire amount asked for the board was given, though there was some little opposition to the assistance of the Federal station.

There was an attempt on the part of Kalama and Harris to increase the pay of the head of the survey department from \$1500 to \$1800, but the House this time stood for the bill. All of the other items passed as in the bill.

### FIGHT OVER HEALTH BOARD.

The Board of Health brought out the fighters. The raid started on the president and executive officer, motions being made to cut to \$1000 and \$1200 and finally to strike out entirely. The roll was called on this motion, the result being: Ayes, 8; noes, 16; Lewis voting with the Home Rulers and Purdy with the Republicans. The chief health officer was cut from \$1200 to \$1000. An attempt was made to change the secretary's salary, \$1,200, \$900 and \$1,100, failing and finally the item went through at \$1,000. The registrar was cut to \$750. The item of clerk at \$600 was knocked out of the bill, but the two clerks at \$300 each went through.

The item of sanitary inspectors, Honolulu, \$7,200, was referred to a special committee on motion of Fernandez, who said there were rumors that these people had caused some trouble. The committee named consists of Fernandez, Kumala and Hala, and they got the item, sanitary inspectors, other than Honolulu, \$1,440.

Aylett made a strong fight to have the salary of the food commissioner and analyst, raised from \$1,050 to \$1,200. Paele and Kanaho fought it, but Aylett insisted upon the great value of the position, and the necessity for a good man. Gandal talked for economy, favoring the item as in the bill, and the motion was lost, though the vote was close.

### MILK AND POI INSPECTOR.

The milk and poi inspector, \$600, brought out a long fight. Among the interesting propositions was that of Beckley to have the mounted patrolmen act as inspectors, as they could stop milkmen coming into the city. The item of sanitary inspectors, Honolulu, \$7,200, was referred to a special committee on motion of Fernandez, who said there were rumors that these people had caused some trouble. The committee named consists of Fernandez, Kumala and Hala, and they got the item, sanitary inspectors, other than Honolulu, \$1,440.

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### RAPID WORK ON LAYING THE CABLE

Rapid progress is being made in the laying of the Pacific Cable. At noon yesterday there had been dropped to the bed of the ocean from the Cable ship Colonia, 434 miles of the wire. This is two days' work, and the indications are that the good ship has taken on a gait of better than eight knots and will keep it up during the journey.

The reports here are received from New York, to which office the noon statement is always sent. The reports contain the further information that the Guam-Manila cable is working to the fullest satisfaction, and that there will be found there as fine a connection as was made between this city and San Francisco.

All arrangements have been completed for the carrying through of the work here. The tanks for the storage of the cable which are to be brought along by the Cable ship Anglia for local services, to be used for the purpose of repairs, have been accepted from the contractor, John F. Bowler, and their examination before acceptance indicated that the work was as well done as in the case of the first tank built by that contractor. The tanks were found to be absolutely watertight, as evaporation would account for every bit of the loss when the first two days water test was made. These tanks complete the shore outfit for the local station, and the only thing lacking now is the arrival of a station ship, which however has not been definitely arranged.

### THE SIERRA TAKES PROMINENT PEOPLE

Many prominent Honolulu people are booked to sail on the Sierra this afternoon for San Francisco. The Sierra should arrive early this morning, having left Fanning's Island on the morning of June 6th according to cabled advices. She will go to the new Hackfeld wharf, the Oceanic dock being in process of reconstruction.

Among those booked on the Sierra today are Mr. and Mrs. B. F. Dillingham, Mr. and Mrs. Thos. Fitch, Mrs. H. C. Brown of the Y. W. C. A., who will be accompanied by Miss Bacon; Mr. and Mrs. C. B. Dyke, Mrs. C. M. Hyde, J. Tarn McGrew, C. A. Peacock, Dr. Sandow and Mrs. Sandow, S. Toplitz and others.

Sprains are often more serious than broken bones on account of not being properly treated. Apply Chamberlain's Pain Balm freely as soon as the injury is received and it will quickly restore the parts to a healthy condition. All Dealers and Druggists sell it. Benson, Smith & Co. Agents for Hawaii.

## ORDERS CABLED FOR MILITARY CAMP

Major McClellan received a cablegram yesterday authorizing the encampment of the Hawaiian National Guard to be held in conjunction with the regular troops beginning tomorrow. Orders for the five days' camp were issued immediately by Gov. Dole through General Soper and also by Col. Jones.

The following are the orders issued last night:

General Headquarters Territory of Hawaii, Adjutant General's Office, Honolulu, H. T., June 8th, 1903.

General Orders No. 8.

The following companies of the National Guard of Hawaii will go into camp on Wednesday morning. The date was chosen particularly with reference to the convenience of the employers of the militiamen. There are two whole

holidays, Sunday and June 11th, as well as the usual Saturday half holiday included in the five days of the camp, so that the men will have to spend but two and a half days away from their regular employment.

To further help employers Major McClellan has agreed that men who are needed at their place of employment may be excused from duty for several hours at a time, or if necessary for an afternoon or morning as required.

The camp will be a federal one, and solely under the charge of Major McClellan, and Col. Jones greatly desires that employers permit their employees to participate.

The boys will go into camp early tomorrow morning and pitch their tents at Kapiolani Park near Camp McKinley. The maneuvers will be arranged so as not to interfere with the June 11th races, and the soldiers will not camp in the race course, so as to obstruct the view of the races.

Every formality of a regular army camp will be observed. Guards will be posted and the usual camp routine followed. The guardsmen will draw regular army rations, and are also entitled

under the new national law to the pay of the regulars, though this will not amount to much, and in the States it is the custom for the state government to provide additional compensation.

The Hilo company is expected to arrive on Thursday morning. An effort was made yesterday to get a wireless message through but this was unsuccessful, and Manager Cross will take the message with him and transmit it from Mani or Lanai. A special steamer will be chartered if necessary to bring the Hilo company into camp.

The members of that organization, if they do not arrive until Thursday, will remain in camp one day longer than the other seven companies. The Walluku company will not take part.

Headquarters First Regiment National Guard of Hawaii.

Honolulu, Hawaii, June 8th, 1903.

General Orders No. 8.

In pursuance to General Orders No. 8 dated General Headquarters, June 8, 1903, Companies "A," "B," "C," "D," "E," "F," "G" and "H," stationed at Honolulu, will assemble at the Drill

Shed at 7 a. m. on Wednesday, June 10th, 1903, for the purpose of participating

with the regular troops in such maneuvers and instructions as may be prescribed by the commanding officer of the Artillery, District of Honolulu.

Uniform: Fatigue, khaki trousers and leggings.

By order of Col. Jones.

(Signed) JNO. H. SOOPER,

Adjutant-General.

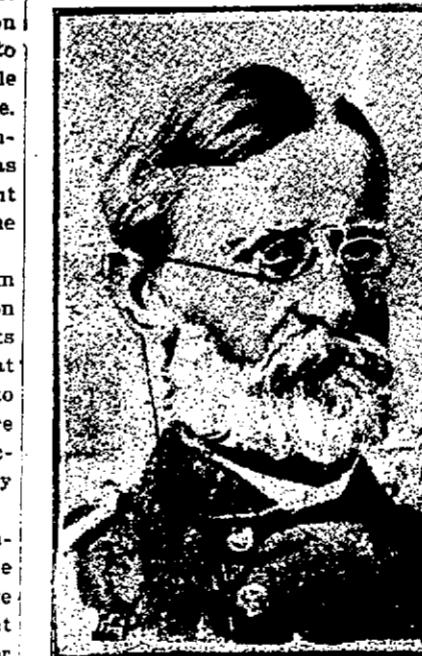
Headquarters First Regiment National Guard of Hawaii.

Honolulu, Hawaii, June 8th, 1903.

Special Orders No. 2.

In compliance with General Orders No. 8, Company "D" of the First Regiment, N. G. H., stationed at Hilo, Hawaii, will go on board the S. S. ....

## SUMNER TO GO TO VALPARAISO



Rear Admiral Geo. W. Sumner.

WASHINGTON, D. C., June 8.—Rear Admiral George W. Sumner of the South Atlantic Station has been ordered to Valparaiso, where a serious condition exists as a result of the Socialist disturbances. Sumner's fleet of ships will consist of the shore outfit for the local station, and the only thing lacking now is the arrival of a station ship, which however has not been definitely arranged.

SAN FRANCISCO, Cal., June 8.—Sugar: 88-analysis Beets, 8 I-12d.

ATLANTA, Ga., June 8.—Fifty persons are dead and sixty missing in the floods of this section.

NEW YORK, N. Y., June 8.—Sugar was advanced to 470 cents on the basis of granulated.

SAN FRANCISCO, Cal., June 8.—A strike among the cannery operatives caused 1,100 employees to refuse to return to their work till demands are met.

ROME, Italy, June 8.—Father Harlin of St. Louis has been named by the Pope as Archbishop to Manila. This post was recently declined by Bishop Montgomery of San Francisco.

ST. LOUIS, Mo., June 8.—Six eastside cities are inundated by the rising waters of the Mississippi. Eight thousand persons have been driven from their homes and are seeking shelter in the higher levels. Several hundred persons have been rescued. Twenty are known to have been drowned. Owing to the threatening condition of the river for some days, a good number of residents on the low levels made preparations to leave their homes and for this reason it is hoped that the death list will be comparatively small. The damage to property, however, will reach high figures.

## MISSISSIPPI'S FLOOD COST ALL OF \$3,000,000

(ASSOCIATED PRESS CABLEGRAMS.)

ST. LOUIS, June 8.—The Mississippi flood has reached its climax. Many levees are overflowed and a score of people have been drowned. The losses will aggregate three millions of dollars. The river is now falling.

TOPEKA, June 8.—A special session of the Legislature may be called to afford relief to the flood sufferers and rebuild a score of bridges which have been destroyed. There is a possibility of the farmers in the lately inundated region getting quick crops.

WASHINGTON, June 8.—S. N. D. North has succeeded Merriam at the head of the census.

WASHINGTON, June 8.—Governor Taft admits that Gen. Miles' report is generally correct, but denies that the famine in the islands is alarming. Rice is being distributed at cost but it is not feasible to issue wheat. It is impossible to import cattle unless they are inoculated with a serum which makes them immune to rinderpest.

SAN FRANCISCO, June 8.—The schedules of the Eppinger failure show liabilities of \$1,373,000 and assets of \$650,000. There is a suspicion that the firm issued receipts as security for more grain than it had stored.

ROME, June 8.—King Emanuel may visit France and receive a return visit from President Loubet, though it is likely that the latter, owing to the expulsion of the religious orders from France, may not be received at the Vatican.

WASHINGTON, June 8.—The Grand Jury has indicted Groff Brothers for the bribery of Machen.

SPARTANBURG, June 8.—Many are missing. Fifty-four bodies have been identified.

CAPETOWN, Cape Colony, June 5.—Parliament opened its session today.

LONDON, England, June 5.—The Manchester race, run today, was won by Zinfandel.

BYRON, Minn., June 5.—The Baptist Church of Byron was completely demolished by a dynamite explosion.

TOPEKA, Kan., June 5.—More complete reports show ten more deaths as a result of the floods in this city.

WASHINGTON, D. C., June 5.—Secretary Hay today signed the treaty with England providing for tariff favors in Zanzibar.

NEW YORK, N. Y., June 5.—The steamer Deutschland, of the Hamburg-American Line, which went ashore yesterday in Gedney channel was floated today. The injury done the vessel is not serious.

MANILA, P. I., June 5.—The hurricane prevailing throughout the Philippines has done an immense amount to the shipping in many of the island ports. The American vessels Pearl, Devizayas, Haurafel, Mayflower and Samshui have been wrecked.

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# SALARIES OF MANY MINOR PLACES ARE UP IN THE HOUSE

## Registrar Thrum Comes in for Some Hot Scoring by the Members.

### IN THE HOUSE.

(From Saturday's Daily.)

Speaker Beckley resumed his seat after three days' illness. The Senate's message on House Bill No. 3, the six months current account bill, which was deferred for two days, was brought up and on motion of Kellinoi the House refused to concur in the amendments of the Senate and a conference committee of five was then ordered.

Senate Bill No. 11, making a special appropriation of \$4,000 to cover the shortage in the appropriation for tax office incidentals, was read and passed a second time under suspension of rules.

### UNPAID BILLS MEASURE.

The House then went into committee of the whole on Senate Bill No. 4, the unpaid bills measure. The bill as amended was read and the committee rose and recommended that the bill with the changes made pass. The report of the committee of the whole was then adopted, passing the bill a second time.

Again the House resolved into committee of the whole on the six months salary bill. Aylett reported on the pay roll, electric light, recommending that the total be increased from \$4,350 to \$4,550, the salary to be as follows: Superintendent, \$1,200; Hineman, \$600; extra lineman, \$420; 3 trimmers, \$1,170; dynamo man, \$480; assistant, \$390; station man, \$330.

As soon as the report was read there were motions to adopt and by Kanaho to pass as in the bill. The Kanaho motion was lost and the report was then accepted.

### REGISTRAR THRUM'S DOINGS.

The committee on the Bureau of Conveyances salaries reported in favor of the passage of the item as in the bill, \$4,710, saying that there should be the opportunity given for the head of the department to reward services, as men who have been longer at the work are worth more than new men. A letter from Mr. Thrum was read, showing the salaries paid.

Kumalae moved to reject the report, saying he had worked there three years, and that the head of the department did not pay his help the salaries provided by law. He said that \$75 was provided for his salary yet he received only \$60. He said that when he resigned a malihini was given the place at \$75. He said the head of the office did not pay the salaries as provided in the law of 1901 until the grand jury made an investigation. He argued also that the only way was to bind the registrar to a list of salaries which must be paid.

### HARRIS FOR PROMOTIONS.

Harris argued that it was not good business policy to make certain salaries for the various places, but rather the chief should have the power to pay the men just what they are worth, suggesting that a new man at copying was not worth so much as a skilled and capable man. Long defended the report showing why it was wise to offer opportunity to young men.

Mr. Beckley said that so long as Mr. Thrum was at the head of the office there would be no justice for the clerks. He said it was an old story of how the clerks were underpaid, the balance of their salaries kept as realizations. He said if records were kept in . . . the salary list would run into hundreds, for the white men would not copy Ha-waiian deeds. The last legislature provided specific salaries yet the Regis-trar did not care a snap for that. He thought the legislators were only kanakas and their opinions had no weight.

To get even with Kumalae and himself, Beckley said, Thrum discharged Nakulua, his step father, who had really run the office for twelve years. He declared that the majority of the people were Hawaiians and so it was not drawing the color line to look out for them. He declared there was enough talent in the country to run it, and there was no necessity to bring people here and give them places. He closed by asking the Hawaiians to reject the report, saying the day would come when the white men would be capable of taking the place of the Hawaiians but while the House had the power they should use it.

### GANDALL WANTS FACTS

Gandall said that as a Representative from Kauai, he needed full information. He said in his case if he should work there he would not accept a place unless the salary was sufficient. Some one had said the clerks got a raise when they struck. He thought then it would be best to appropriate a sum and then all the clerks should strike immediately and together and have their wages raised in a rush. Gandall had the floor when the committee . . .

**WANT THE RECORDS BACK**

The Speaker announced that the conference committee on the expense bill should be appointed on Tuesday to which day the Senate had adjourned. The House then went into recess.

**WANT THE RECORDS BACK**

Upon recess—Mr. Speaker Beckley said that it had come to his knowledge that the minutes of the regular session of the House had been called for by the courts. The minutes as submitted were not the journal as returned properly.

The committee rose and the House adjourned.

### IN THE SENATE.

A communication from the House of Representatives, in reply to an inquiry as to its action on House bill No. 3, stated that action had been deferred until that day.

Third reading of the departmental appropriation bill for eighteen months beginning January 1, 1904, was the special order of the day.

Senator Dickey said it would save a day to the House to have the bill passed and sent down promptly.

Senator McCandless thought, as many members were absent, such an important bill should not be rushed. He moved the Senate adjourn until Tuesday.

### THE COURT TROUBLE.

President Crabbe asked the mover to wait, as he had a statement to make. The previous day their clerk was summoned to the court with an order to bring the journals. He ordered the clerk not to take any papers over without consent of himself or the Senate, but the clerk was threatened with contempt proceedings and, fearing he might have to go to jail over night, produced the papers in court. The court wanted all of the journals, but it was impossible to furnish them. They were scattered about between clerk, printer, proofreader, etc. He suggested that the clerk be allowed to produce in court the journals for any particular day required. It appeared they wanted all reports and proceedings bearing on the case. They were fighting the County Act.

Senator Dickey held that the journals of the regular session were out of their hands entirely. The clerk under a subpoena of court would have to produce them. To the suggestion of Senator McCandless, that the journals were in the hands of the president, he answered: "They are in the hands of the president and other officers of the regular session. We have nothing to do with the matter."

### SEEMING PREDICAMENT.

Senator McCandless deprecated hailing the journals tied up as evidence in court, when the law required them to be in the hands of the Secretary of the Territory within thirty days of the close of the regular session.

"No," the president explained; "the clerk can take them right back." He went on to say that the journals were not complete, the copies having not yet been compared.

### ORGANIC ACT VIOLATED.

Senator Achi contended that the Senate had nothing to say about it. The journals were in the hands of the president and clerk, who had possession of them. Not only that, but he claimed that the president and clerk, by not hurrying up, had caused the Organic Act to be violated.

Senator Cecil Brown—"What is the penalty?"

Senator Achi—"I do not say there is a penalty, but it is a command that the journal shall be in the hands of the Secretary of the Territory within thirty days. I would advise the president not to disobey the order of the court. We are not called here for this purpose, but to pass appropriation bills. I raise the point of order that any talk about the journals of the regular session is out of order.

President Crabbe—"Thank you."

### SETTLED WEATHER.

A calm that could have been sliced with a cake knife ensued.

Senator McCandless broke the stillness by moving that the third reading of Senate bill No. 9 be deferred until Tuesday next. When Senator Dickey asked why not Monday, the mover with a laugh harking back to the point of order said the clerk was ordered to appear in court on Monday. The motion carried.

### WANTS A VACATION.

Senator Achi desired to move that the House be requested to allow the Senate to take a vacation of one week after passing the pending bill. There was no use in meeting day after day, waiting for business from the House.

Senator Cecil Brown—"Where do you want to go, to Kona?"

Senator Achi—"I want to do some work." He deferred his motion until Tuesday.

At 10:30 the Senate adjourned till 10 o'clock Tuesday morning.

### (From Sunday's Daily)

Yesterday's session of the House of Representatives lasting until noon was entirely occupied with the third reading of the Tax bureau appropriation bill, which carries \$4,000 and was passed, and the third reading of the bill making appropriations for back bills of the Government, which did not come to a vote on its passage. Most of the time on the latter bill, outside of its reading by the clerk, was taken up with a successful fight for restoring to the bill the item of \$2,000 for the expenses of Land Commissioner E. S. Boyd's trip to Washington.

There was no session of the Senate to bring adjourned from Friday till Tuesday.

### IN THE HOUSE.

Senate bill No. 11 appropriating \$4,000 for the Tax bureau passed third reading by the affirmative votes of the 24 members present.

### BOYD'S TRIP.

The unpaid bills act having been read a third time, Lewis moved to insert \$2,000 for the expenses of Commissioner Boyd's trip to Washington. Long seconded the motion and argued that Boyd was sent in order of the Executive Council to protect his department. He spoke of the work done by Boyd at Washington as having been effective. It caused a Congressional committee to defer action on Hawaii an land matters.

Greenwell moved in amendment to make the amount \$15,000. The itemized account gave over \$10,000 for hotel expenses and \$347 for incidentals. It appeared as an expensive trip, but he was willing to allow \$15,000.

Vida said if anything was to go in less it would be \$2,000. If he was sent lawfully on public business he should travel like a prince and was entitled to every dollar asked. The speaker ironically concluded.

Kellinoi raised the point of order, ruled not well taken by Vice Speaker

Knudsen, that the amendment was not in order since the item was not in the bill.

Paole supported the proposed reduction because there was no law authorizing the commissioner to go to Washington. They had a Delegate to Congress to look after the Territory's interests. It was strong Boyd's fort at Washington that the petition of natives and others to have lands devoted to homesteads was defeated.

Kanaho said the House by majority vote on second reading had struck out the bill because the commissioner was sent by the Executive Council to work over the head of the Delegate. He had prevented the division of land among the people in 40 and 80 acre homesteads. As a member of the Legislature of 1901, Kanaho recalled the fact that no appropriation was made for any such a mission to Washington. Outside of the House he had been regarded as partial to his race because he voted to maintain Treasurer Kepolau's salary against reduction, but now he was opposing this proposed vote to money to a native official because it was contrary to law.

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# MATTOX IS WHIPPED IN FIRST ROUND

## Main Boxing Event Chief Failure of Evening.

(From Sunday's Daily)

Honolulu was made sorrowful at short warning last night, when the man hailing therefrom was knocked out in the first round of what had been announced as a ten-round contest. The victor was Joe Mattox, of San Francisco, and the vanquished Tom Mattox of Honolulu, as introduced to a fair-sized audience by the referee.

It was biff, bang and break away for five frantic events at the Orpheum, with the referee in the majority of them joining the hardest work. Although the buyers of tickets had nothing but a sensational fifteen seconds or so for what they anticipated as their money's worth in chief, they had some compensation in the preliminary bouts. Especially were they repaid when Young Hawaii gave a cyclonic exhibition of pluck and skill, bearing away the laurel wreath of a cleverly won finish with a whole round to spare.

Jess Woods, of Whitman & Co.'s sporting department, was referee of the evening, and Larry Dee timekeeper. There was free play of enthusiasm from partners of the backers in every instance, but with an utter absence of rough or even unkind words in the cries of stimulation and applause. "Give it to him, Bill," or "Now's your time, Ernest," was the strongest expression one heard.

HEINE-VAN GIESEN.

The first encounter was a four-round one, with clean breakaway agreed, between Ernest Heine and Frank Van Giesen, two youthful sparring. As Heine curved forward in his chair he looked anything but the equal in physique of his opponent, sitting erect with spread-eagle limbs opposite, but the trial proved a contradiction of appearances. In the first round Heine started vigorously on the aggressive. Van Giesen ducked under and came out with a delivery of a smart body blow, but got some warm facers in return. Before the round ended Van Giesen looked worried and his heavily deait blows generally failed in reach.

Heine was getting it in the ribs but coming back quickly in Van's face, and the round was almost a wrestling match with clinches. In the third Heine made more fighting of it. Van Giesen struck hard but blindly. When occasionally he kept eyes front Heine had to be busy though he never lost his pins for a moment. Van Giesen went down once and was up in an instant only to receive a smack on the shoulder. Heine opened and closed the fourth round with effective facial polishing, though both fought it through gamely.

Referee Woods awarded the fight to Heine on points. Nobody was badly hurt.

VIERRA-ANDERSON.

Vierra, a local Portuguese, and Anderson, a U. S. soldier, came next with a similar match to the first. The soldier displayed quick action in the first round, getting in first work on face and body, but the Portuguese soon revealed a cleverness and dash that seemed to catch the favor of the house. He fought Anderson to the ropes just through the gong sounded.

In the second the soldier was pressed home again and again. He came mighty close to landing a swinger on the jaw of his antagonist which would have dimmed local talent a bit. After a few clinching spasms in the third Anderson got in a few swats on Vierra's countenance, but again was beaten back to the ropes. Vierra responded to a spent drive with a face stinger and then forced the fight to the soldier's corner. Both were feeble at the gong.

After some light work in the fourth Vierra did some quick smashing. He drove Anderson to a corner and on next breakaway floored him. The soldier was up in six seconds and got in a whack on the back of Vierra's head just before the bell rang.

Decision for Vierra.

KAMINSKY-HARRIS.

Kaminsky, another army man, and Harris, the well-known colored pugilist, purported to fight a four-round one which was declared a draw. It was more a game of dodge and clinch than a boxing match. There was not a decisive looking moment in it and in the second round the referee spied over the footlights: "Gentlemen, if these men don't fight I'll disqualify them." When the referee corrected the play in the third, Harris made a fine burst of indignation — condemning things and trying to pull off his gloves.

THE GEM BATTLE

When Soldier Latham and Bill Huchue were announced for a four round contest, much interest was manifested but more on account of the gameness of the little young Hawaiian, who dared to face a sturdy son of Mars from the outside world. The battle that ensued was an agreeable surprise. It was the premier event of the evening.

Huchue sailed in lively at the start. The soldier responded with vigor, getting back a stinger in the native's face which seemed for a little to turn the tide of battle. Huchue was brave in taking his chances of hits received and his speedy action paid everything back with interest. In the second the soldier got in some hard body swipes, but the native exhibited lightning recovery and forced a retreat of his adversary. There were half a dozen hot

exchanges in the face but Huchue was pressing Latham hard at the end. Huchue opened the third with a terrible lather on Latham's jowl, then chased his quarry to the ropes with the next thwack after. In the next business meet the soldier went down and got up to fight but was bowled over again with a straight drive under the jaw. He was counted out, but the gong sounded before the tenth second. Latham rose feebly for the fourth, but thought best to withdraw from the ring.

The young Hawaiian victor revealed wonderful talent as well as style. He has a biting, corkscrew-like delivery. In maneuvering his upper arm seems to half revolve in the shoulder socket, and he carries himself with a light sort of hula-hula gait which is not ungraceful.

MAIN EVENT HUMBUG.

The event advertised as the chief one would have put a damper on fistics in Honolulu for some time to come had it been pulled off as the first instead of the last of the evening.

Mattox came up smiling and there was, say, a minute of fainting. The next minute Millett was being called on not to be in too much of a hurry about finishing, but give the callers something for their money.

After being thrashed across the ring, Mattox was still smiling game, but when the fight drove him to the opposite side all at once he was laid out. It was just ten seconds before Dee would have hit the gong when it happened. A swinging blow in the jaw did it.

Mattox was borne limp to his corner and supported in the chair, but was so helpless that the time was half counted up before he was got there. The audience broke up immediately.

Before the last event it was announced that Kid Delis challenged Bill Huchue.

## PROVES TO BE MURDER

### Jap Mistaken for an Enemy Dies in Hospital.

Katata Muira, the Japanese who was picked up on Queen street Friday night with a bullet in his back, died very unexpectedly at one o'clock yesterday afternoon. The affair is even more mysterious now that it has developed into a case of murder, and the police are bending every energy to find the person who fired the fatal shot.

Muira, according to his ante mortem statement to Officer McDuffie, was walking alone on Queen street near Fort about 7:30 o'clock Friday evening, being on his way to town from Kakaako where he had been at his room in the Magoon block. He occupies a room with another Japanese who is employed on the Kinau. This man's name is Isuuma or Tenaka and he did not arrive in the city until yesterday, so he is eliminated entirely from the search of the police. Muira told McDuffie that he was walking along very quietly when he felt a stinging sensation in his back. He thought that he had been shot and turned but could see no one. He said he had not been quarreling with any one, that he had no enemies so far as he knew, and was at a loss to understand why any one should want to shoot him. He was inclined to the belief that the bullet which struck him was intended for some one else. The bullet, which was extracted, was found to be from a twenty-two calibre revolver.

The police have absolutely nothing to work upon in the case. No one saw the man when he was hit, and as far as could be learned yesterday there was no one in the immediate vicinity when the crime was committed.

Sheriff Chillingworth summoned a coroner's jury yesterday which viewed the remains at the morgue. The jury will meet again at noon tomorrow to hear evidence as to the cause of the death of the man.

Muira was employed on the Mauna Loa and was about thirty years of age. A friend came to claim the remains yesterday, but so far no relatives have turned up.

### COL. FITCH GOING TO TONOPAH MINES

On Tuesday's steamer Col. Thomas Fitch will leave Hawaii to settle elsewhere. He and Mrs. Fitch are dismantling their rooms at the Moana Hotel and the Colonel is packing up his law library. They are bound for Tonopah, Nevada, the newest, liveliest and most promising of all mining camps.

Tonopah bids fair to beat the Comstock. Under a vast cap of lava, forty feet thick, a tenderfoot found pay ore. Prospects all over the region developed sudden riches. Since the opening of spring 5000 people have settled in Tonopah, the place has electric lights, will soon have a railroad and will need Tom.

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Decision for Vierra.

KAMINSKY-HARRIS.

Grant Snow, one of the gang of burglars which terrorized the residence portion of Honolulu a few months ago, attempted to escape from the chain gang yesterday afternoon and was shot for his pains. Snow is serving a twelve years' sentence for burglary in the first degree.

Yesterday he was taken, together with thirty-six other prisoners, to work in the Makiki quarry as usual. Snow didn't appear to be meditating escape while at work during the day, and the guards were not prepared, when, upon the return to the city about four o'clock, Snow leaped the fence on the Punchbowl road and disappeared into a grape arbor. Snow entered the first yard he came to, evidently thinking that the numerous cottages in the vicinity would deter the police from shooting. The guards gave immediate chase firing as they went. One shot from a revolver in the hands of either Cockett or Morris struck Grant, and the negro gave up. He had got away about a hundred yards when struck by the bullet. The leaden missile inflicted quite a severe scalp wound ploughing furrows on the top of the head and eight or ten stitches were required to repair the damage. No one else attempted to join the burglar and it was no doubt a sudden thought on his part, the curve in the road and the many houses with their thick grape vines affording him a fine chance to hide.

Snow was one of a trio of burglars which robbed many places in Honolulu during the month of January and February last. He was found guilty of entering the home of "Russian Frank" and stealing a bottle of whiskey and twenty-five dollars in gold and was sentenced by Judge De Bolt to twelve years at hard labor. He was also indicted for the robbery of the residence of Adolph Knust, the old German who has been in the courts frequently on the charge of illicit distilling. Snow claimed that he was innocent of all the charges but when his confederates, who had been previously convicted turned against him he had no hope, and the jury returned a verdict of guilty within a few minutes. Snow is a negro thirty-five years of age, and came here from Australia only a few months before his arrest. He is known among his pals as the "Australian Kangaroo." He claims to have a wife here. The wound received by Snow was not serious and he will probably be able to go to work again within a few days.

## DREIER AND HIS HOPEFUL

### Lively Times Last Night for the Police.

(From Sunday's Daily.)

A rattling telephone call for help aroused the Police Station at eleven p. m. It came from up Beretania street near where August Dreier lives.

It said that an insane man with a gun was terrorizing the neighborhood and the police must hurry or blood would flow. The police hurried indeed and when they got there they found August Dreier, nearly spent of breath and with a huge revolver in his hand chasing his hopeful son around the block. From the Dreier house a shrill feminine voice shouted "Owgooste, Owgooste!" In the street was a hack in which the driver and a native girl were laughing uproariously.

Officer McDuffie headed August off and caught the boy, who was taken to the station where he told his story. "I sent for a hack," he said, "so I could take a ride with girl I knew. We drove up near my house and I got out to get the girl something to eat and drink. I slid into the house by the back way and coppered a bottle of beer and a can of sardines. I also took along a can-opener. The old lady heard the hack stop in front of the house I guess. Anyhow she looked out and got next. Then she woke up the old man and he got his gun and came out in his pajamas. I had nothing but the can-opener and it was in my pistol pocket. When the old man played up with his gun I drew the can-opener on him, thrust it in his face and said 'Ps-s-s-t!' He jumped four feet backwards and five feet sideways all at once and then came for me with a warwhoop. I ran and dodged all over the place but he kept after me shouting: 'Vat iss! Vat iss!' You know the old man is pretty stocky and I didn't think he could run so well. I made up my mind that if ever got out alive I would enter him for the 11th of June races."

The police questioned young Dreier closely and concluded to let him go if he would promise not to go home that night. The young man demurred. He said he wanted bondsmen and mentioned Judge Humphreys as his next friend. But the police wouldn't call the Judge and the young man finally left, not forgetting before he went to call for his hack again.

WAR BULLETIN NO. 1.

At one o'clock this morning August Dreier, driven by a servant, arrived in his carriage at the Police Station. The junior Dreier had been home and stirred things up again. "I was mine bed in," said Mr. Dreier, "ven in my ear a shaking of the window came. I looked und saw dot worthless pay pointing somethings at my het and saying, 'Sharley Shillingworth, Sharley Shillingworth come here ven I shoot him at.' You was come mit me und arrest both dot pay and Sharley Shillingworth."

It appears that the hopeful son had gone home, found his father reading in bed and after shaking the window to attract his attention, had pointed the can-opener at him and threatened to shoot. Deputy Sheriff Chillingworth was, of course, nowhere near but Dreier, Jr., made out that he was and brought the old gentleman down town in a high rage at the officer who could abet his son in crime.

On the whole it was a great night.

NOTES FROM EWA.

Ewa Mill will turn out this year something over 34,000 tons. This will be 4,000 over the manager's estimate. They are doing better work in the mill this year than ever before. The

## BROWN WINS FIRST BLOOD

### The First National Bank Case Decided.

Cecil Brown and colleagues were given the decision by Judge De Bolt at noon yesterday, against the Summers-Macfarlane combination in the First National Bank controversy. An appeal was noted.

There was argument all morning by J. A. Magooon for the contestants of last year's election of directors and A. Lewis with Cecil Brown in person, for the respondents. After allowing the bill to be amended, the court dismissed the amended bill. In rendering his decision Judge De Bolt made remarks that he admitted might be unusual, but he thought it was the duty of a court not only to dispose of cases but to inculcate justice.

He said that the officials of a corporation were in a way public officials and suggested that in their business relations one with the other it would be well for the reputation of the corporation and its stockholders as well as for the community in general if matters were conducted in a calm, dispassionate manner. He hoped that at the approaching election common sense would give place to the splitting of technicalities.

In view of the coming election of officers in July it would seem idle and useless to proceed to determine the various points involved in the case. Judge De Bolt said that he felt it would be best for all concerned, the officers and stockholders of the Bank, as well as the public in general, that the demurrer should be sustained. He thought that if heat and passion were laid aside in the conduct of the bank's affairs it would be better for the standing of the corporation.

COURT NOTES.

Points for defendant Marion Reed Austin on demurrer to the bill for foreclosure of mortgage against herself and husband, Herbert C. Austin, by George F. Renton have been filed. There are two main objections to the bill. The first is that the mortgage was not executed by the husband of the mortgagor, in the manner prescribed by statute. In the second place it is contended that the bill does not show such default in performance of conditions as to entitle the mortgagee to foreclose. On the first point it is set forth that, in the mortgage, the law was not observed which prescribes that no sale or mortgage of a married woman's real estate shall be valid without the written consent of her husband.

D. L. Akwai, administrator of the estate of Yee-See, deceased, has filed an inventory showing a fourth interest in the Hip Chong Company, an undetermined interest in fire claim award 1256 for \$2,750, and the ownership of fire claim award 3170 for \$72 net.

George Chalmers petitions that he be appointed guardian of his nine minor children, who have property in their own right within this jurisdiction.

NOTES FROM EWA.

Ewa Mill will turn out this year something over 34,000 tons. This will be 4,000 over the manager's estimate. They are doing better work in the mill this year than ever before. The

total losses will be less than has ever happened in a nine-roller mill.

D. B. Murdoch leaves Ewa the end of July to become auditor for Alexander & Baldwin. Mr. Murdoch has been head bookkeeper at this plantation for over eleven years. Both Mr. and Mrs. Murdoch will be greatly missed.

Mr. May will succeed Mr. Murdoch as head bookkeeper. Billy Johnson will take Mr. May's place.

Tom O'Dowda head sugar boller, is going to make a trip to "Old Ireland" this year. He has not been home in twenty-five years.

■ Funeral of Edwin R. Newman.

The funeral of the late Edwin Rodney Newman, which occurred yesterday afternoon at the home of W. W. Hall, was one of the saddest which Honolulu has seen for a long time. A little gathering of old friends surrounded the widow and her son, who sat near the head of the flower-strewn casket, bowed and broken by their sudden bereavement. The services were conducted by Canon Mackintosh of St. Andrew's Cathedral, and at the solemn words of the prayer book in comfort of the widow and the fatherless were read, the minister himself faltered and could read no more.

After the prayer, the hymn, "Nearer My God to Thee," was sung and the bearers carried the casket to the hearse. It had been the first purpose to bury the remains here, but a cablegram from Ithaca led to a change of plan and the body will be cremated for transportation East.

Mrs. Newman is bearing up bravely and is having the tenderest of care from Mr. and Mrs. Hall, at whose place the Newmans lived ten years ago. She and her children will soon return to Ithaca, New York.

AMERICAN IDEA OR NOT

Interesting Colloquy

Between Bench

and Bar.

In the County Act case argument, Mr. McClanahan for the respondent claimed that the act was in violation of the Organic Act by its creation of the Board of Public Institutions. He rung the changes upon the provision of Section 80 of the Organic Act, that the Governor shall appoint all boards of a public character.

Judge Gear asked him one time what was the use of creating counties, if their government was under control of the Territorial executive.

Mr. McClanahan was not prepared to answer that question, to go into the utilities. It might be harmonious with the Congressional view and inharmonious with the American view of county government.

"The court will take the American view," Judge Gear remarked.

Mr. McClanahan hoped the court's view would be the American view. In answer to a query, he said the American view to him was that obtained by those of them who had lived under and participated in the American system.

"All boards of a public character hereafter created by law shall be appointed by the Governor," he declared was the dictum of the Organic Act which could not be evaded. That was the Congressional view of the form of government suitable for these islands. It might be a new American view. Congress in its wisdom considered the conditions in Hawaii and knew what it was about, and it placed all boards to be created by law in the future—whether county boards or otherwise—under the control of the Territorial Government.

He spoke of the element of taxation in government and said Congress had provided for taxation boards in Hawaii to be appointed by the Governor. Why these provisions were made they did not know, but it was all done in the wisdom of Congress.

MIGHT ACCEPT ISLAND

**Hawaiian Gazette.**

Started at the Postoffice of Honolulu.

H. T., Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

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TUESDAY : : : JUNE 9

**LEGISLATURES AND CREDIT.**

Apropos of Hawaiian bonds, P. C. Jones made the remark yesterday that this Territory cannot hope for much credit abroad until it gets a responsible Legislature at home. Local financiers generally take the same view. The moral quality in a loan is always significant and whenever a lender is asked to invest in the securities of a State or Territory he looks behind them at the law-making power. Is it intelligent? Is it honest? Is it fair-minded and with a sense of responsibility? If not—if, on the contrary, it gives no weight to public obligations and much to private gain, and if its attitude is hostile to vested interests—the money-lender simply looks for another customer.

Legislatures composed, in large degree, of the worst or least capable elements of the community are as damaging in their way as droughts or pestilences. In point of self-interest, a Legislature ought to comprise the best available men. No man is too good in the higher elements of citizenship to serve in the law-making body of a State or Territory. In the legislator the duty of self-government reposes and there is no higher duty anywhere. But it is one which calls for education, natural ability, good instincts and a trained mind. To think out a law which will bring the greatest good to the greatest number, to frame it so that it will be constitutional, to save it from bad amendments and to guide it to the Governor's desk and command it to the Executive mind—these are what a legislator is called upon to do. If he does not know how he is likely to fall into the hands of designing men or to blunder into the quicksands, in either case to disappoint the hopes of those who elected him. And once in the power of bad men, or in following his own bent, he may easily take a course, as in the case of those who voted against the fulfillment of Territorial contracts in the present Legislature, which is certain to impair the public credit and bring his own name into disrepute.

Thus one of the direct needs we have is that of a responsible law-making body. The material for it cannot be found among hackmen, bartenders, pol-pounders, roustabouts and peanut politicians; it must be looked for in the commercial houses, law-offices, real estate and trust offices, at the benches where skilled and thoughtful artisans are employed, among the class known to all as "good citizens." Of such was the Advisory Council of the Provisional Government, which was the ablest and cleanest Legislature Hawaii ever had. And of such must be future Legislatures if the Territory intends to obtain and preserve a credit, to keep down taxes and to secure honesty and capability in all branches of its administration.

**PHASES OF FARMING.**

An evening paper prints a letter which begins as follows:

Editor Evening Bulletin:—The writer of a recent editorial in the Advertiser which opines "that the fine old Spanish Hidalgo was not a believer in the profits of agriculture in California," etc., is telling more than he knows, and in the telling has strayed far afield from his Bancroft.

The Bulletin's correspondent does not recall the difference between the Spanish Hidalgo and the Mission priest. The Hidalgo was a stockraiser; the priest, in somewhat the spirit of the Carthusian monks, did something with small fruits, wine and even grain, using the Indian neophytes as slaves to till the soil. But the cultivated oases were small and unimportant; the greater part of California was a range for wild cattle, which cattle, periodically, were rounded up and stripped, their hides being sold to Boston firms.

When this state of things was changed, as it had to be to enable California to support a large mining population and the cities which mining built, the thing was done by the small farmer. He fought the stockmen, he secured the enactment of a fence law, he bought and cultivated the arable spots close to the soil. But the cultivated oases were small and unimportant; the greater part of California was a range for wild cattle, which cattle, periodically, were rounded up and stripped, their hides being sold to Boston firms.

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The bill introduced in the Hawaiian Legislature in 1898 is drafted on the same lines. It entitles applicants to a license who "shall have passed an examination before the board of pharmacy. OR who shall present satisfactory credentials of their attainments to the said Board." It does not contain the requirement that the applicant shall be a graduate of a college of pharmacy or either of the other two provisions that have since been added to the law and which barred Newman out of Hawaii.

Now that the Manchurian crisis is getting towards the deadlock stage, Admiral Evans is turning up in Chinese waters with his squadron. This is thought to be "significant," but the probability is that Fighting Bob merely means to look on if the Russians and Japs get to fighting and see whether they do things in the true Santiago style.

Probably a "vote of want of confidence" from a body which has the record of the Hawaiian House of Representatives, would not only make Secretary Carter the next Governor but get him a letter of congratulation from the President.

According to Kumalo it's a waste of other men's time to put them on committees. He has the whole government business down fine, and is intolerant of any opinion other than that which is born in his own liver.

**THE LAW THAT DROVE E. R. NEWMAN TO HIS DEATH.**

The Legislature passed a bill, that became a law on April 28th last, which E. R. Newman charged, a few days before his death, was drawn for the express purpose of "doing him up;" in other words, of keeping him out of the drug business in Honolulu. Whatever its object, it certainly has succeeded in accomplishing that purpose. The law is Act 70, entitled "An Act to regulate the Practice of Pharmacy and the Selling, Compounding and Dispensing of Drugs, Chemicals and Poisons in the Territory of Hawaii."

On the face of the act it is innocent enough, but an examination of its provisions shows that purposely or by chance it barred Mr. Newman from practicing his profession in this Territory. Mr. Newman was an expert pharmacist. He was a university man; had served his apprenticeship with a druggist in New York; was a duly licensed pharmacist under the laws of New York; had owned and managed a drug store in Honolulu for years. He was acknowledged to be a master of his profession. And yet in spite of all this, so cunningly, or curiously as the case may be, was this law drawn that Newman was barred from again practicing his profession here.

The way it was accomplished was as follows:

First, the law provides that a man cannot act as a pharmacist or even "conduct or manage" a drug store in Hawaii, unless he obtains a license as a pharmacist from the Treasurer.

Second, it provides that the Treasurer cannot issue such license unless the applicant is recommended by a Board of Pharmacy.

Third, it provides that the Board cannot recommend the applicant unless he passes a satisfactory examination AND is a graduate of a school of pharmacy.

The applicant may be the leading pharmacist of his generation, and yet if he did not acquire his special knowledge inside of college walls, he may practice his profession elsewhere or he may starve, but he can not sell ten cents' worth of quinine in Honolulu without making himself liable to the criminal law. Newman was a good druggist. He could pass any required examination; but he had learned his profession by practical work in a pharmacy and not in a college. Therefore he could not get a license in Hawaii.

Surely this drastic law can not have been intended to apply to those who have proved their ability as pharmacists! Certainly not! Hawaii takes care of her own. Every pharmacist and drug store manager in Hawaii is taken care of by the law; but again, cunningly or curiously, but none the less surely, was Newman barred out.

The law provides that any person who has had experience as a pharmacist or drug store manager in the Territory, for two years, shall be entitled to a license "without examination or recommendation by the Board." This smacks of unfairness, but there is a rider on the provision to the effect that the two years must have been "immediately prior to the approval of this act!"

Again, by a remarkable coincidence, Newman, although he had practiced his profession in Hawaii for much more than two years, happened not to have been located on the sacred soil of Honolulu during all of the two years "immediately prior to the approval of this act." He had been here only a beggarly five months of that period, having been on the mainland during the remainder of the time. Consequently he could not claim the privilege freely extended to all the other druggists of Hawaii.

It is customary in law of this character, to recognize and license those who have been examined and licensed by responsible authorities of other States.

Hawaii is not behind in all the adjuncts of civilization, and accordingly we find this provision in the new pharmacy law; but again Newman was left beyond the outer walls by the addition of a provision, that this exception should not apply UNLESS "such State or Territory accord similar recognition to the licentiates of this Territory."

It just so happens that no State or Territory possesses a law specifically recognizing the pharmacy licenses issued by Hawaii. Therefore, so far as Newman was concerned, this exception could do him no good until he could get the State of New York to pass a special law recognizing holders of Hawaiian pharmacy licenses. As Newman had limited means, a store leased, a stock of goods on hand with which to open business and a wife and two children to support, this opening was sealed to him, and the fact that he had been licensed by the New York Board of Pharmacy and practiced his profession under that license for years, gave him no more standing here than if he had been a Hottentot medicine man.

Financial trouble, to a limited extent, added to Newman's worry, but what drove him to distraction and turned his brain till he was no longer responsible for his actions, was the grinding sense of injustice, and his feeling of utter helplessness when, being able to work and willing to work, with all his little capital invested and ready to open business, he found that he had been craftily tied hand and foot.

The foregoing was written for publication in yesterday's Advertiser. Before the paper went to press Mr. George W. Smith said to a representative of this paper that there was absolutely nothing in the statement that the pharmacy law was intended to bar Mr. Newman out, or that it did bar him out. That he, Smith, was responsible for the drawing of the law, that it was a copy of the New York statute, and was the same as a bill that was introduced in the Hawaiian legislature but failed of passage in 1898.

Recognizing that if these statements were true, they would materially affect the charge made by Mr. Newman that the act was aimed particularly at him, although not affecting the fairness of the act in itself, the publication of the article was withheld until Mr. Smith's statements as to the origin of the act could be investigated.

**THEY WERE INVESTIGATED YESTERDAY AND BOTH STATEMENTS WERE FOUND TO BE INCORRECT.**

The laws of New York of 1900, section 194, require three things of an applicant for a full pharmacy license. (1) That he shall have had five years' experience as a druggist, two of which shall be within five years prior to the application; (2) That he pay a fee of \$5; (3) That he pass an examination satisfactory to the board.

There is no requirement in the New York law that the applicant shall be a graduate of a college of pharmacy.

In order to make assurance doubly sure, the laws of many other States were examined. In not one of them was graduation from a college of pharmacy made a requisite. In practically all of them, graduation from such a college entitles the graduate to a license without examination. IN ALL OF THEM, an examination "satisfactory to the board," also entitles the applicant to a license.

The bill introduced in the Hawaiian Legislature in 1898 is drafted on the same lines. It entitles applicants to a license who "shall have passed an examination before the board of pharmacy. OR who shall present satisfactory credentials of their attainments to the said Board." It does not contain the requirement that the applicant shall be a graduate of a college of pharmacy or either of the other two provisions that have since been added to the law and which barred Newman out of Hawaii.

Honolulu is not given to celebrations so much as it was some years ago, but it might well forget the pleasures of the languid life long enough to do something in honor of the Fourth when, it is believed, the trans-Pacific cable will become operative throughout its entire length. The Fourth for its own sake has always seemed worth celebrating here and in the days of the monarchy and Republic Hawaii burnt much gunpowder and expended much oratory in its praise. When a Fourth and a through cable conjoin, local patriotism cannot take refuge in its past manifestations; the occasion requires an up roar of its own. If Honolulu intends ever to celebrate the Fourth again it should do so next month.

It seems to be a not uncommon idea at Hilo that instead of the Legislature investigating sheriffs the sheriffs might do well to investigate the Legislature.

**LICENSES ARE DENIED****Land Leases Approved and Appointments Considered.**

At the Executive Council meeting yesterday the application of the Hawaiian Agricultural Company for five year leases of the Moalua lands was approved. There is 450 acres of cane land, which is let at a rental of \$700 a year. Another area containing 2,000 or 3,000 acres of forest land, at an altitude of 1,800 to 2,000 feet, is let for \$100 a year. The company has to keep this forest area fenced, the chief benefit it receives being the protection of water sources.

The council confirmed the transfer of Lanai leases by F. H. Hayselden to Charles Gay.

Governor Dole stated to the meeting that the list of candidates for the office of Superintendent of Public Works was not yet closed. He was prepared to receive applications from others than those whose names have been published.

The matter of a judge under the Trens land law was considered without a decision being reached. The names of Attorneys J. M. Monsarrat and Assistant Attorney-General P. L. Weaver were mentioned.

Manuel Borges was refused a light wine and beer license for King street and Kamehameha IV. road corner, Kalihi, as being within two miles of the nearest regular saloon.

O. N. Clarke's application for a license in the Camarino place was also refused, it being outside the limits.

**ALBERT CAME WITH RHODERICK DHU**

The bark Albert and the Rhoderick Dhu kept company nearly the entire voyage from San Francisco. The Rhoderick Dhu went to Hilo early yesterday morning. Captain Turner of the Albert said yesterday that he was in sight of the Rhoderick Dhu for four days of his fifteen days' trip, and at times they were within speaking distance. The Albert sighted one vessel on her trip down, a British bark, whose name could not be distinguished.

The Rhoderick Dhu will probably arrive at Hilo today.

The Albert brought down a general cargo, together with a great quantity of hay. She had two passengers, Miss May Kluegel and Miss Alice Kluegel.

**OTHER SAILERS ARRIVE.**

The H. K. Hall arrived yesterday twenty-two days from Port Gamble with a cargo of lumber. She has been unloading at the Allen & Robinson wharf.

The Irmgard arrived also in the morning in ballast and is anchored out in the stream. She came in response to a cable from her agents and will return to San Francisco with a cargo of sugar.

The schooner Helene arrived in the afternoon with a general cargo. She made a fast trip coming down in thirteen days. All the sailors experienced good weather, with light winds generally.

The schooner W. H. Marston anchored off port last night at 10 o'clock.

**COL CORNWELL HAS NO ENTRY**

Col. W. H. Cornwell, who arrived with Mrs. Cornwell in the Claudine, was seen at the Hawaiian Hotel yesterday evening and asked what he was doing about the 11th of June. He replied that he had not a single entry in this year's races. His stock was nearly all up at the Coast, a portion for breeding purposes. Garteline, one of the old favorites, had a colt that would be a three-year-old the coming January. Next year the Colonel hoped to have a goodly string on hand.

**TEN BOLD ASSERTIONS**

Regarding Chamberlain's Colic, Cholera and Diarrhoea Remedy.

1. It affords quick relief in cases of colic, cholera morbus and pains in the stomach.

2. It never fails to effect a cure in the most severe cases of dysentery and diarrhoea.

3. It is a sure cure for chronic diarrhoea.

4. It can always be depended upon in cases of cholera infantum.

5. It cures epidemical dysentery.

6. It prevents bilious colic.

7. It is prompt and effective in curing all bowel complaints.

8. It never produces bad results.

9. It is pleasant and safe to take.

10. It has saved the lives of more people than any other medicine in the world.

These are bold assertions to make regarding any medicine, but there is abundant proof of every one of the above statements regarding this remedy. Every household should have a bottle at hand. Get it today. It may save life. All Druggists sell it. Benson, Smith & Co., Agents for Hawaii.

It Looks Bad

E. S. C. n' O Luso de Sabbath faz um pranto e alegria com os iniciates. G. B. F. o que custa-nos acreditar queira inferir per "Great Big Foot."

Nos nossos pés ja uninhada interro a "machadinho" e sentimos per necessario mixer com os fios daos.

Um eterno e terro reposo!—A Voz Pública.

**TIED BOY TO IRON PIPE****Henry E. Cooper's Son Bound and Gagged.**

Two Porto Ricans whose purpose was evidently the looting of the Henry E. Cooper residence at Punahoa yesterday morning, bound and gagged thirteen year old Theodore Cooper, and left him tied to an iron pipe in a closet. Then frightened by what they had done the men decamped, disturbing nothing else.

The police were notified immediately, and from the description given by the Cooper boy, last evening arrested John Melandrez, a Porto Rican, on suspicion. The man is booked for investigation and his alleged partner will probably also be captured within a few hours.

Superintendent Cooper and his family went to the Peninsula Saturday night to spend Sunday. Theodore and Alfred Cooper returned home early yesterday morning for the purpose of attending school. Alfred went upstairs to change his clothes, while Theodore went into the library for a few minutes. Then, intending to go out again, he went into the closet for his hat. As he did so, he was grabbed by two men, whom he says were Porto Ricans. They pinned his hands behind his back and placed a hand over his mouth to prevent an outcry. Then they took the laces from his shoes, and tied his hands and feet. His feet were tied in back of a chair and his hands were also tied behind his back to the iron water pipe. Then to prevent an outcry, his mouth was stuffed with tissue paper, and a handkerchief tied between his lips. It seems almost incredible that the boy was not suffocated.

Without any further ado the would-be burglars left, probably frightened at what they had done.

Young Cooper remained in his uncomfortable position for nearly three hours, his brother and the Japanese servant, thinking that he had taken his hat and gone away. All this time Theodore was trying his best to break his bonds. After much effort he did finally succeed in working the bonds about his feet free and then by using his knees succeeded in loosening the gag. That out of the way, he soon aroused the servant by his cries, and he was given his freedom.

The boy was able to give a good description of his assailants. Officers McDuffie and Remear started on a search through Kakaako last night and bagged one man who is believed to answer the description. This man's name is Melandrez, but he stoutly denied any connection with the crime. Cooper will be given a chance to identify him this morning, and in the meantime Sheriff Chillingworth also expects to have the second ready for his identification.

**NEW CONTRACTS ARE AWARDED**

The Postal Department has just awarded new contracts for carrying the mail from San Francisco to Honolulu and return for the three years ending June 30, 1906. The new contracts go into

# COUNTY ACT NOW ARGUED

## Judge Gear Takes Matter Under Advisement.

Argument in the County Act mandamus case was concluded at 3:30 yesterday afternoon. Judge Gear took the several distinct questions raised under advisement. They include the constitutionality of the Act, its legal passage by the Legislature and, related to the latter, the competency of the evidence on legislative proceedings.

Speaker Beckley and Clerk Meheau of the House of Representatives gave evidence, amidst a running battle over its admissibility, the substance of which was that the final passage of the bill by the House was through adoption of the conference report on a vote of ayes and noes. The clerk could not put his finger on the place in the journal where the bill from conference passed third reading. Speaker Beckley thought the hackmen's license clause never passed the Legislature. President Crabbe and Clerk Savige of the Senate testified to practically the same things as the House officers. They could not say that the hackmen's clause had passed the Senate.

### CONSTITUTIONAL QUESTION.

Attorney General Andrews argued that the Act was constitutional, commenting on the care the courts should exercise in passing upon the constitutionality of enactments. Replying to Mr. McClanahan's contention that the creation of the Board of Public Institutions by the measure contravened the provision of the Organic Act which made all public boards appointive by the Governor, the Attorney General maintained that this would make of the Governor an absolute ruler and there could be no election of officers excepting members of the Legislature. There was a difference between boards of indisputably territorial jurisdiction, such as the forestry and pharmacy boards, and the Board of Public Institutions made up of various departmental officials. With regard to the divesting of the Superintendent of Public Works of functions accorded him by the Organic Act, he denied that the County Act divested any officers of their constitutional powers. In reply to a remark by McClanahan that all the Superintendent's powers were taken away, the Attorney General said there was nothing in the Organic Act which said the duties of an official could not be transferred to other hands. Stress was laid on the provision of the Organic Act that certain things directed by it might be modified by the Legislature.

### LEGALITY OF LEGISLATION.

Mr. McClanahan in the afternoon attacked the validity of the Act on the ground that it had never passed the Legislature. If the rules of the Senate were contrary to the Organic Act they must be set aside. There was no third reading of this bill even by title. If an amended bill might be passed without being read they might as well delegate all legislation to a committee. In this bill there were Senate amendments, House amendments, conference amendments—even the title was changed—the alterations made it practically a new bill. They certainly considered the title important when they amended it. The original Senate bill had one title and this one had another. Some entry should be found in the journal of the House of the ayes and noes on the third reading of the bill, otherwise it could not be assumed that there was no flaw in the title, he said in reply to a remark by the court, they contended that the Act before the court never passed the houses. They contended that the requirement to speak English or Hawaiian in the hackmen's provision was not passed by both houses. The engrossed bill had that requirement in it, which was not in the other bill at all. Therefore the Governor had signed a bill containing material provision which had not passed both houses. Without claiming that all amendments must pass three readings, they nevertheless maintained that there was no reading at all of the bill signed by the Governor.

### IMPORTANCE OF DECISION.

One word in conclusion, Mr. McClanahan said, as to what the duty of the court should be, without presuming that the court did not realize its duty. They believed that the court had the power to pass on the constitutionality of the Act. It was a measure of great importance to this community. If the Act was invalid it would come out some time and the question might as well be settled now.

Attorney General Andrews agreed with counsel on the importance of an early determination of the question as to the whole Act. This was more important than the point regarding the powers of officials of the Government.

### CANNOT GO BEHIND.

Continuing, the Attorney General claimed that his original point was correct, that the courts could not, under the United States decisions quoted, go back of the certificates of the officers of the Legislature. That was Senate bill No. 1 and it passed three times in the Senate and three times in the House, and there were certain amendments made to it in conference. The question put on the final reading was whether that bill should pass as amended. If they took the evidence of the clerk why should they not take that of the presiding officer, and if his why not that of every member as to what the proceedings were? Why

should they be restricted to the fragmentary parts of the journals presented? Such a construction as that contended for would lead to endless confusion and might unsettle every enactment of the Legislature. They had the certificates and the evidence, and nothing else to go upon. A decision was asked by the respondent which would throw out laws right and left. Nothing had been proved by the evidence that there was any irregularity in the bill. To take fragmentary records against the official certificates would unsettle the laws and bring the Legislature into contempt.

### UNCONSTITUTIONALITY ASSERTED.

Mr. Davis claimed the right to speak besides Mr. McClanahan, saying they were employed by different parties. The ayes and noes had been shown, so there was nothing more to be said on the point raised about the journals.

The Act was unconstitutional and void, he went on to argue, because so many sections conflicted with the Organic Act, and his honor would have to point out all of them in a well-considered decision.

Congress created the office of High Sheriff in this Territory, giving that official all of the powers formerly held by the Marshal, but this Act abolished the office.

"Modification does not mean extinguishment," he declared in answer to a remark from the court.

Judge Gear said an official might be relieved of some of his functions.

"Not to the extent of extinguishment," the attorney replied. "No, they have not gone to the extent of saying there shall be no High Sheriff."

### MEANING OF COUNTIES.

Judge Gear asked what Congress meant when it said the Territorial Legislature might create counties.

Mr. Davis said it meant the Legislature might provide county government, but without contravening any of the provisions of the Organic Act.

"Cannot the Legislature decide what officers are to govern the counties?" the court asked.

"They can do it, but not in a manner to wipe out any of the provisions of the Organic Act, for that would be placing the authority of the Territorial Legislature over that of Congress," Mr. Davis responded. They could have created counties without violating the Organic Act. They had no right to impair, destroy or diminish anything in the Organic Act. They could have left the High Sheriff in the County Act and placed him over the sheriffs of the different counties elected by the people.

### FOUNDATION PRINCIPLE.

Judge Gear said the Organic Act provided a system of Territorial government. It also by empowering the Legislature to create counties gave the Territory power to place the election and control of county officers in the hands of the people. He read from Cooley and other authorities to show that local self-government was at the foundation of the entire American system. Local government was a matter of absolute right and the State could not take it away.

Mr. McClanahan called the court's attention to the "Insular" decisions relative to the limitations on self-government in the territories.

Judge Gear knew those decisions, but suggested that when the Organic Act gave Hawaii the power to create county government it meant that we were to have counties with a republican form of government. The authorities were overwhelming in holding that local government was an inherent right, one that did not require to be placed in the constitution. "Cities and counties," he proceeded to read, "have the right to choose their own officers." The court would construe the Organic Act to mean that, notwithstanding it provided a Territorial government, in granting the Legislature power to create counties it granted the principle of local self-government.

### WENT TOO FAR.

Mr. Davis resumed his argument with a burst like that of a released safety valve. There was no escape from the provisions of the Organic Act. It gave duties and functions to certain officers which no court and no judge could take away. There was no oligarchical rule in the placing of the High Sheriff over the sheriffs of counties—a man who could not be bribed or cajoled. There were dark places in the great centers of civilization, ostensibly governed by the people though they were. It was not all streets of gold in the big cities. Look at the corruption in Minneapolis, St. Louis and Seattle. There was no need to abolish the office of High Sheriff for the purposes of republican county government, but on the contrary a palpable necessity for the retention of such an official.

Assuming that there was no flaw in the title, he said in reply to a remark by the court, they contended that the Act before the court never passed the houses. They contended that the requirement to speak English or Hawaiian in the hackmen's provision was not passed by both houses. The engrossed bill had that requirement in it, which was not in the other bill at all. Therefore the Governor had signed a bill containing material provision which had not passed both houses.

Without claiming that all amendments must pass three readings, they nevertheless maintained that there was no reading at all of the bill signed by the Governor.

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arrangements are being made to pay the Japanese claim. S. Ozaki as trustee has collected everything for the Japs, and as soon as the bonds are taken over by the Bank of Hawaii at ninety per cent a distribution of the Japanese money will be made.

John Hind is having two sugar mills made in town.

UNCONSTITUTIONALITY ASSERTED.

# MAGOON IS TURNED OUT Had No Authority As Banning Trustee.

Judge Gear yesterday rendered a decision in the matter of the estate of J. F. O. Banning, refusing to accept the accounts of J. Alfred Magoon and ordering that the accounts filed by Magoon since 1894 be stricken from the records as void.

The Act was unconstitutional and void, he went on to argue, because so many sections conflicted with the Organic Act, and his honor would have to point out all of them in a well-considered decision.

Congress created the office of High Sheriff in this Territory, giving that official all of the powers formerly held by the Marshal, but this Act abolished the office.

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Without claiming that all amendments must pass three readings, they nevertheless maintained that there was no reading at all of the bill signed by the Governor.

Judge Gear said an official might be relieved of some of his functions.

"Not to the extent of extinguishment," the attorney replied. "No, they have not gone to the extent of saying there shall be no High Sheriff."

Judge Gear knew those decisions, but suggested that when the Organic Act gave Hawaii the power to create county government it meant that we were to have counties with a republican form of government.

The authorities were overwhelming in holding that local government was an inherent right, one that did not require

## INSURANCE.

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THERAPION is sold by the principal apothecaries and druggists throughout the world. It is a safe and reliable remedy. It is required, and where the word "THERAPION" appears on the British Government Stamp (in white letters on a red ground) affixed to every genuine package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

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To All Points in Japan, China,  
and Around the WorldTheo. H. Davies & Co., LTD.  
Agents Canadian-Australian S. S. Line,  
Canadian Pacific Railway.READY FOR  
RACE MEETHilo Is Preparing  
For a Big  
Time.

HILO, June 5.—The lively state of affairs at the race track promises the best race meet here July 3 and 4, in the history of the race track. Mr. O'Rourke who goes to Honolulu today in the interest of the Hilo racemeeting, says there will be more horses here July 4, than ever at the Hilo races before. The problem of stable room for all of them is now being solved by the management.

Among the horses now in training are a lot of new ones. Horner has four new Hawaiian bred horses at the track which are showing up well in the hands of their trainer. McLennan's Rejected and Frank S. are coming along in good shape. Carter's Ranch is represented by Defender and three others, a bunch that will spring some surprises on race day. Phillip, Carter Harrison and Dixie Land are doing good work.

The Honolulu crowd will bring with them Weiler, Racine Murphy, Molly Connors. Aggravation and others.

Several harness horses are in training.—Tribune.

## GOOD BASEBALL

Baseball is on its feet in Hilo. There are not numerous ball teams but they play the game well. The people who have gone to the ball games have not met with a disappointing moment. The game on Decoration Day between the Hilo Railroad and the Waialae nine was witnessed by a large crowd. The game went to Waialae with a score of 10 to 6.

Sunday afternoon the most interesting game of the season was played between Olaa and the Beamer Specials. For several innings the score stood a tie and was a tie in the last inning and up to the last batter who had two strikes against him. At this critical juncture, Green who was at the bat, struck a two bagger and brought in Thos. Nahiau from second base, winning the game by a score of 7 to 6. The battery for the Olaa team was Jackson in the box and McCann behind the bat. Ragsdale and Williams pitched for the losers and Solomon did the work behind the bat.—Tribune.

## LET OFF WITH A FINE

A Japanese was arrested last week for putting obstructions on the track of the Hilo Railroad between Hilo and Waialae. The offender is the proprietor of a Japanese bath house and gets his supply of salt water from the bay. He put a plank across the track and wheeled a barrow containing a barrel of water from the beach to his house and when through forgot to remove it. The man had not intentionally committed a crime and Judge Hall fined him \$10 and cautioned him to be more careful.—Herald.

## DECORATION DAY SERVICES.

The services at Hall Church last Sunday evening were a fitting climax to the observances in Hilo of Decoration Day. Saturday the business houses were closed and during the day the graves in the cemetery were covered with flowers.

Sunday at the First Foreign church Rev Mr Nash delivered an impressive memorial sermon Sunday evening at the Hilo Church a formal program was presented. The church was filled to overflowing. The decorations were of bunting and flags. The band was present and played patriotic airs. Mrs Lewis presided at the organ and was assisted in the music by the choir and the Hilo Boarding School cadets. Mrs Bartels sang a solo and interesting recitations were delivered by W C Cook and H E Kelsey. Short addresses were made by Judge Little, who presided and by H L Ross.—Tribune.

## BODY FOUND

The body of a Japanese badly decomposed was found on the beach at the foot of the path at Papaaloa last Saturday. The man was identified as a member of a cane planting hui and Sheriff Andrews went over to investigate the matter. A coroner's jury was empanelled and evidence taken as to the man's disappearance and the finding of the body. Foul play was suspected.—Herald.

## NEWS NOTES.

News from out in the country indicate quite a gathering of cowboys at the congress in Hilo July 4th.

The wireless telegraph line has not been working since Monday, presumably on account of a break at an intermediate station.

The freight office of the Hilo Railroad Co. has been transferred to the new building at Waihauene and Front streets.

Fish Inspector Herring states for the information of the public that there are no fees for inspection of fish. The Territory pays him a salary for this work. The only charges are for the use of the market facilities at either market.

The local lodge of Knights of Pythias will hold its annual services at the Hilo Steam Laundry.

The school year of the Hilo Boarding School will close this year on the 1st of June. J. C. McLean, the principal, has been appointed to the new school year.

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## SAVED HER LIFE

Mrs. Brooks Feared She Was Going Into Consumption.

Whether or not consumption can be cured, it is certain that it can be avoided. Proper treatment and plenty of sunlight will banish the first warning symptoms of this insidious disease and the following statement will be of priceless value to those who follow its advice.

"They feared I was going to have consumption," says Mrs. W. L. Brooks, of No. 453 West Main Street, Meriden, Conn. "I was in a wretched condition both in mind and body, completely run down and unable to attend to any of my household duties for three years. I was thin and pale, awfully nervous with frequent headaches, and sometimes dizzy spells came over me so that I could not stand up. There were almost continual pains in my back and limbs and all over me. The doctor called nearly every other day but I did not seem to improve and my friends were alarmed for me when my mother persuaded me to take Dr. Williams' Pink Pills for Pale People. They cured me. After taking them faithfully for a while my flesh and color returned, my nerves became quiet and all my old troubles disappeared. I am strong now and in perfect health and have no more fear that I shall go into consumption. I will always recommend Dr. Williams' Pink Pills for Pale People."

The pills which cured Mrs. Brooks are an unfailing specific for all diseases arising from disorders of the blood and nerves. Among the many diseases they have cured are locomotor ataxia, partial paralysis, St. Vitus' dance, sciatica, neuralgia, rheumatism, nervous headache, the after-effects of the grip, palpitation of the heart, pale and sallow complexions and all forms of weakness either in male or female.

Dr. Williams' Pink Pills for Pale People are sold by all dealers or will be sent postpaid on receipt of price, fifty cents a box; six boxes for two dollars and a half, by addressing Dr. Williams' Medicine Co., Schenectady, N. Y.

Do not trust the word of a man who says he has the genuine Dr. Williams' Pink Pills bulk. None of these famous pills ever leave the factory except in packages bearing the well-known trade-mark composed of the seven words—"Dr. Williams' Pink Pills for Pale People."

## EWA'S SALOON QUOTA IS FULL

"The judicial district of Ewa includes Waianae. There are already three wine and beer licenses in this district. Therefore a fourth cannot be opened."

With these words on the margin signed by Governor Dole, the application of William A. Fernandez for a light wine and beer license at Alea is denied.

Treasurer Kepoihi had advised its denial for the reason given by the Governor, although the attached petition was signed by 37 Ewa people and approved by High Sheriff Brown and Deputy Sheriff John Fernandez, the applicant's uncle.

Mariano J. Borges has petitioned for a light wine and beer license at Kamehameha IV. road and King street, Kailihi.

## DICE GAME ENDS IN A FREE FIGHT

A Porto Rican with blood streaming from a cut in his face, and badly bruised otherwise came into the Police Station yesterday afternoon with a story to the effect that he had been set upon by a gang of native boys in Nioiopa and brutally assaulted. Another Porto Rican boy with a few bruises corroborated the story, and the police went out to investigate. Three native boys were arrested and are locked up on a charge of assault. It seems as if the Porto Ricans were shooting craps with the natives and there was a dispute over the turn of a dice. Blows followed hot words, and then came knives and clubs and stones. The Porto Ricans got the worst of the general mix-up and told their tale of woe to the police.

## BECKLEY MAKES FULL AMENDS

A conciliatory reply to Judge Gear's message, suggesting a more courteous request for the return of the House journals than that sent, was received from Speaker Beckley by the Judge yesterday. On the rush of business he had signed Clerk Meheula's letter without particularly noticing the "stiffness" of its contents.

Judge Gear replied in like placid tenor, taking occasion to state that he had informed Stenographer Thielen, on dismissing him from the witness stand, that he could have the documents on giving a receipt therefor.

## CARTER CALLS DOWN CHINESE

Secretary Carter adopted stern measures toward claimants in the Chinese fund who had essayed to evade his strict requirements of identification and obtain the amounts of their claims in spite of him. He had occasion to doubt the identity of some claimants and sent them away to obtain indubitable credentials or witnesses as each case might have seemed.

The temporarily rejected Celestials had "too much salse," as they thought,

of the regulations governing the mat-

## COMMERCIAL NEWS

EDWARD M. BOYD.

What is being done in the way of the taking up of the Fire Claims bonds is not sufficient to make any one feel that there is any immediate prospect that the amount will be turned into cash very quickly. It seems that the drawee of the cash have not come to the front with their bond agreements as fast as was expected, and the buyers are holding cash on hand to take them, with the prospect that it will be a long wait before all are offered.

The payment of the cash goes on undisturbed, though the golden stream has degenerated into a mere trickle just now. There is a decided holding back on the part of many of the small claimants, for why no one knows, but the old time crowd do not collect about the bank counters and crowd for first place. There has developed, too, a decided tendency on the part of claimants to expect that they will receive a higher rate for the bonds than has yet been offered. This is fallacious, for there will be no larger price unless it may be in isolated cases where a bank gives the figure to accommodate a customer of long standing. There is no seeming desire on the part of the banks to load up with the bonds, now that there is an immediate prospect that the Territorial bonds will be out pretty soon, and these will offer a better field for investment.

Some of the financial men of the city are of the belief that it will take some time for the Territory to sell its bonds, five per cents, at 98. There is a belief that the bonds will sell well when they have become known on the mainland, but for the present it is felt that there should have been a greater margin of discount arranged. This feeling is not shared by the government officials, who think that there will be a market for these bonds, now that it is apparent that the Fire Claims fours are going to be taken over by mainland folk.

There has been some little feeling that the shortage in the treasury cash might prove embarrassing, but it is evident that the people of the city will not permit any failure of public work, but will supply needed funds. In fact the Treasurer has now offers to supply his wants up to \$150,000, and this will tide him over until there is again a growth in the receipts of the taxes. However, it seems plain that there will not be the full three quarters of a million which the law says must be turned over to the counties, on the first of the year, as there cannot be collected such an amount in addition to that which is needed to pay the current expenses during the half year before that draft is to be made.

## KONA DEAL PARTLY SETTLED

The sale of the Kona property has been confirmed, and now the men who have undertaken to reorganize the property will have time to turn around and find what is in prospect for a new deal, on the southern side of the big Island. There is now on the estate something more than 1,500 tons of sugar, and arrangements were made by R. W. Shingle, of the Henry Waterhouse Trust company, that the labor will take this off, under direction of Manager Conant, on a sharing basis. If this goes along as well as the prospect is that it will, there should be money enough in sight to repay every certificate of the receiverships, to give the officials a fair compensation, and to make everything easy for attorneys and others who have been at work trying to save the estate.

What will be done in the future is in question which no one is now able to answer, or to speculate upon either. The outlook seems to be that the owners of the lands in the vicinity will be given an opportunity to get together with Manager Conant and reach some agreement whereby the maka'ā lands may be leased to the plantation at a fair rental. If this is possible these lands will be temporarily held under option, and then will come the question of submitting the proposition to sugar men of experience. They will have an opportunity to indicate what they will do. If none of the big houses will undertake to handle the proposition, it would appear unlikely that it will be put through. In this deal the Waterhouse Trust Company is simply trustee for many claimants, such as the supply men, some laborers, and others, but it has no other capacity, and will not undertake to run the plantation.

## SUGAR COMING OFF WELL

While on the big island Mr. Shingle was told that Hutchinson has now over 5,000 tons off and will without doubt take all that has been estimated by the manager, 8,000. The work at Pahala is progressing favorably. One rumor seems to be set at rest by a message which he received before leaving for this city.

Manager M'Stocker of Olaa telephoned that at that time the Olaa mill had turned out above 17,000 tons of sugar. This is doing very well indeed, and what indicates that the output may be greater perhaps than was estimated, is that Mr. M'Stocker said there was ahead of the estate five weeks more work. If this is done it would seem likely that with twelve hours' work there should be turned out 100 tons a day and the total would be up to the estimate made at the annual meeting.

From the entire windward side of the island came good reports and the feeling among the sugar men is of the best.

## SLOW MARKET LOCALLY.

There has been very little doing during the week past in stocks. The market has been featureless, the men who usually buy stocks keeping out of the trade just now. There is money everywhere for good loans, but there seems no disposition to buy.

Onomea, under the influence of the dividend, has taken a turn and 120 shares of the stock were sold at \$24, an advance of \$1. There was some more of this stock sold during the week, but there has been no reports of it. Twenty-five Oahu sold at \$102.50, which is a small drop, but is taken to mean only that there is a demand on the part of some one to realize. Twenty-five Rapid Transit at \$77.50 closed the transactions of the week. The whole list may be said to be weaker.

## REAL ESTATE QUIET.

There has been little but the usual transfers of small lots doing in real estate. Some of the money from Fire Claims has been used in getting hold of small pieces in Chinatown, and there promises to be some building there soon

The work on the widening and straightening of the Waialae road is now going on, and the Kaimuki holders are expecting added inquiry there.

There is being made fair progress on the various down town buildings. The O'Neill block is being occupied.

## SPEAKER BECKLEY RUNS AFoul OF CIRCUIT COURT

Hon. Geo. D. Gear, Judge Circuit Court, First Judicial Circuit.

Sir: I am directed by the Speaker of the House of Representatives to demand the immediate return of the minutes of the House of Representatives for the regular session of said House for the year 1903, and to inform you further that these minutes, under the rules of the House, do not constitute the journal of that session, but that the stenographer of the House, under instructions of the speaker thereof, is now engaged upon the compilation of such journal, and until said compilation has been completed and certified to by the presiding officer of the House of Representatives and the clerk thereof, respectively, the same cannot and will not be recognized by this Honorable Body as its official journal.

Very respectfully,

SOLOMON MEHEULA.

Clerk

Approved.

F. W. BECKLEY,  
Speaker.

The foregoing communication was handed up to Judge Gear in court yesterday afternoon, and he opened and read it although the House official envelope in which it was conveyed bore the address, "Hon A V Gear, First Judge, etc." Having perused the missive the Judge handed it to Attorney McClanahan, who characterized it as "an impudent communication."

Judge Gear asked Bailiff Ellis who had brought the letter and being told it was the sergeant-at-arms of the House of Representatives, directed the bailiff to instruct the sergeant-at-arms to present his compliments to Mr. Beckley and inform him that when he sent a courteous message to the court it would be answered.

Upon dismissing Stenographer Thielen from the witness stand in the morning, Judge Gear asked him to give his compliments to Speaker Beckley with regrets that the business of the House should have been unavoidably delayed by the stenographer's detention in court

ter. They fled down town and proffered sum for the claimants who had cured witnesses to attest their identity before notaries. The certificates to be presented in the Auditor's office, then it was not his desire that they have blanks for such notarial identification intended for the convenience of claimants out of town.

As fast as these notarial attestations were presented to the Secretary of the Territory he deposited them in a convenient drawer and sent them to their bearers about their business until further notice. When thirty-nine such certificates had accumulated Mr. Carter

SAVE YOUR HAIR  
With Shampoos of

And light dressings of CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, removes crusts, scales, and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp, when all else fails.

**Complete External and Internal Treatment for Every Humour.**  
Consisting of CUTICURA Soap, to cleanse the skin of crusts and scales and soften the thickened cuticle; CUTICURA Ointment, to instantly allay itching, inflammation, and irritation, and soothe and heal; and CUTICURA, to cool and cleanse the blood. A Skin Dressing offered to cure the severest humour, with loss of hair, when all else fails. A. D. DAVIS & CO., 110 Broadway, N. Y. "African Doctor," "Non Ira," Cape Town. "All about the Skin, Scalp, and Hair," post free. POTTER CO., 700 Proprietary, Boston, U. S. A.

## DR. J. COLLIS BROWNE'S CHLORODYNE

IS THE ORIGINAL AND ONLY GENUINE.

Coughs, Colds, Asthma and Bronchitis.

DR. J. COLLIS BROWNE'S CHLORODYNE.—Vice Chancellor SIR W. PAGE WOOD stated publicly in court that DR. J. COLLIS BROWNE was undoubtedly the INVENTOR of CHLORODYNE; that the whole story of the defendant, Freeman, was deliberately untrue, and he regretted to say it had been sworn to. See the Times, July 18, 1864.

DR. J. COLLIS BROWNE'S CHLORODYNE is a liquid medicine which assuages PAIN of EVERY KIND, affords a calm, refreshing sleep WITHOUT HEADACHE, and INVIGORATES the nervous system when exhausted. Is the GREAT SPECIFIC FOR CHOLERA, DYSENTERY and DIARRHOEA.

The General Board of Health, London, reports that it ACTS as a CHARM; one dose generally sufficient.

Dr. Gibbon, Army Medical Staff, Calcutta, states: "Two doses completely cured me of diarrhoea."

DR. J. COLLIS BROWNE'S CHLORODYNE is the true palliative in NEURALGIA, GOUT, CANCER, TOOTHACHE, RHEUMATISM.

DR. J. COLLIS BROWNE'S CHLORODYNE rapidly cuts short all attacks of EPILEPSY, SPASMS, COLIC, PALPITATION, HYSTERIA.

IMPORTANT CAUTION.—The immense sale of this Remedy has given rise to many Unscrupulous Imitations.

N. B.—Every Bottle of Genuine Chlorodyne bears on the Government Stamp the name of the Inventor, DR. J. COLLIS BROWNE. Sold in bottles, 18 1/2d, 2s 9d and 4s 6d, all by chemists.

Sole Manufacturers, J. T. Davenport, 33 Great Russell St., London.

## PRIMO LAGER

ALL DEALERS SELL IT.

## GREAT GRUMBLERS

## A SECOND HOLY GHOST FESTIVAL

Grumbling Will Cease if Honolulu People Follow This Advice.

Backache is the first grumbling warning

The kidneys give it, if you heed it not.

Look out for trouble, it will surely come

Urinary trouble, kidney trouble and many miseries

Doan's Backache Kidney Pills are made for kidneys only.

They cure every form of kidney ill.

The experience of Honolulu people proves this.

Here's a case in point.

Mr. F. Metcalf of this city, gives us the following information. "I was afflicted with a painful feeling in my back for over five years. The various remedies resorted to did me no good, until I found in with the advice of a friend (Mr. W. J. Maxwell), I procured at the Hollister Drug Co. some of Doan's Packache Kidney Pills. I had, hard, suffered taking them when the pain left me altogether, and I now feel that I have been completely cured of the terrible suffering I underwent formerly. P. keeping a box of the pills in the house, I am fortified against any possible return of my complaint at future time. It seems almost miraculous that the pains should have vanished so quickly. All sufferers from backache should get some of Doan's Packache Kidney Pills."

Doan's Packache Kidney Pills are sold in all druggists at 50 cents a box, six boxes for \$2.50 or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

It is the best of the engagement.

The feast for the twelve poor was given on Saturday afternoon from one to two o'clock. Meats, fruits, cake and wine were served with a liberal hand. Bishop Libert was also present and blessed the bread.

Following the banquet came the distribution of alms to the poor and a race of meats, wine and bread which had not been given away. The festival was not ended until yesterday night. The Portuguese band furnished music for the celebration.

## Smith &amp; Schipper

138 Front Street,  
New York

General Commission Merchants and Brokers in Sugar, Coffee Spices, Cocoa, Coron Butter, Etc.

Agents of the Federal Sugar Refining Co. and publishers of the "Federal Reporter."

